

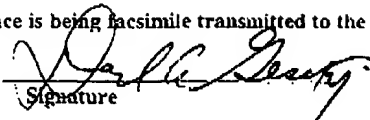
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CERTIFICATE OF TRANSMISSION

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Daniel A. Geselowitz, Ph.D.  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of: **OHMORI, Kenji et al.**

Group Art Unit: 1773

Serial No.: 09/963,674

Examiner: **D. S. Nakarani**

Filed: **September 27, 2001**

**P.T.O. Confirmation No.: 8984**

For: **HIGHLY WEATHER-RESISTANT MAGNET POWDER AND  
MAGNET PRODUCED BY USING THE SAME**

**SUBMISSION OF TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

Date: March 16, 2004

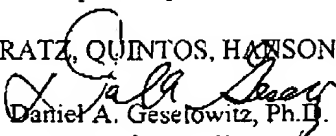
Applicant acknowledges the telephone call of Examiner Nakarani on March 15, 2005, and thanks the Examiner for pointing out the error in the Terminal Disclaimer filed on December 16, 2005, which lists the incorrect number of the patent over which the present application is being disclaimed. Submitted herewith is a new Terminal Disclaimer listing the correct patent number.

You are hereby authorized to charge our Deposit Account No. 01-2340 in the amount of \$130.00 for the required fee.

In the event that any additional fees are due in connection with this paper, please charge our Deposit Account No. 01-2340. A duplicate of this paper is enclosed.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP

  
Daniel A. Geselowitz, Ph.D.  
Agent for Applicants  
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PATENT TRADEMARK OFFICE

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT	Docket Number 011020	RECEIVED CENTRAL FAX CENTER MAR 16 2005
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In re the Application of: **OHMORI, Kenji et al.**

Group Art Unit: 1773

Serial No.: 09/963,674

Examiner: D. S. Nakarani

Filed: **September 27, 2001**

P.T.O. Confirmation No.: 8984

For. **Highly Weather-Resistant Magnet Powder and Magnet Produced by Using the Same**

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Washington, D. C. 22313-1450

March 16, 2005

Sir:

The undersigned, **Daniel A. Geselowitz, Ph.D.**, is agent of record in the above-identified patent application. The terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,638,367 is hereby disclaimed, except as provided below. It is agreed that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

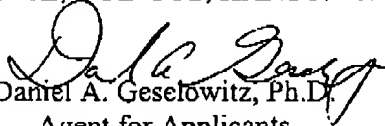
In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

This disclaimer is submitted on behalf of Sumitomo Metal Mining Co., Ltd. (Assignees), a Japanese company, on whose behalf the undersigned is empowered to act, which owns the entire and exclusive right, title and interest to the invention entitled **Highly Weather-Resistant Magnet Powder and Magnet Produced by Using the Same**, for which the above-identified patent application was filed on September 27, 2001, Serial No. 09/963,674, and all Letters Patent of the United States to be obtained therefor on said application or any continuation, divisional, substitute, reissue or reexamination thereof for the full term or terms for which the same may be granted, by virtue of an assignment from the inventor(s) of the above-identified patent application. The assignment was recorded in the Patent and Trademark Office at Reel (012486), Frame (0545).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP

  
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Date: March 16, 2005

XX Terminal disclaimer fee under 37 CFR 1.20(d) to be charged to Deposit Acct. No. 01-2340

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